

# 69TH WILL BE SENT TO FRANCE AT ONCE; OTHER REGIMENTS HELP FILL THE UNIT



## The Evening World.



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# FIRST THREE DRAFT APPEALS REFUSED

## RIGID RULE BY HUGHES; GRAND JURY INQUIRY ON

**Exemption Refused to Russian Who Would Go Home to Fight and Two Pleading Occupation—Women and Babies at Session.**

The District Board for Greater New York, which is the court of last appeal for persons appealing from decisions of the local board and the court of original jurisdiction for persons claiming exemption from service in the National Army because they are engaged in agricultural or industrial pursuits necessary to the well being of the country, met in the District Court on the third floor of the Federal Building at 10:30 o'clock today. Charles E. Hughes presided.

The courtroom was packed with men who want exemption for all sorts of reasons and about 400 more were in the corridor outside. It became necessary to close the doors of the courtroom at 10 o'clock. Many of the men had brought their wives and children, and the babies were generally peevish and voracious.

Considerable routine work must be accomplished before the board can get down to the real business of acting as a court of appeals. It was announced that the five of the sub-committees which are to take care of the preliminary work would have reports ready in a few hours. The chairman of these sub-committees are George L. Ingraham, Edgar M. Cullen, Louis Marshall, William M. Dykman and Meyer Steinbrink.

The District Board found before it today a report from the sub-committee, of which Judge Ingraham is chairman, on three cases which were found to be in proper affidavit form. One case was an appeal from the decision of a district board. The other two were applications for exemption from men who consider that they will be of more use to the country if they stick to their regular business than if they go to the front.

The first appeal was that of Greek Sarchen, a Russian, holding his first papers. He lives at No. 149 Boston Road, in the jurisdiction of Local Board 13. Sarchen submitted affidavits supporting his contention that his proper fighting place is in Russia.

### MAY STOP JOY RIDING; USING TOO MUCH GASOLINE

Army and Navy Will Need 350,000,000 Gallons—Too Much Used for Pleasure.

WASHINGTON, Aug. 13.—If auto owners do not save gasoline voluntarily it may be necessary for the Government to take drastic action which will stop "excessive pleasure riding," stated Thursday, H. Manning of the Bureau of Mines today.

"The army and navy will need for the year 1918 350,000,000 gallons. One half of the gasoline used in the United States (1,250,000,000 gallons) is used in pleasure riding. The amount used for this purpose could be cut in half," he said.

### SEVEN SHIPS REPORTED SUNK BY A U BOAT

Same Submarine Said to Have Been Driven From Azores by U. S. Gunners.

BALTIMORE, Aug. 13.—Gunners on an armed American ship at Santa Maria, Azores Island, Aug. 4, repelled an attack of a large German submarine which arrived outside the breaker of that port and shelled the city.

So vigorous was the fire of the Americans that the enemy, after knocking down one house, killing a child and wounding an old woman, hastily retreated.

### SHOTS AFTER FUGITIVE STARTLE WALL STREET

Secret Service Officers Chase Man Who Presented \$15,000 Draft at Brown Bros. & Co.

Two shots fired by Secret Service agents in pursuit of an alleged ex-convict this afternoon startled the Wall Street section. The chase ended in the arrest of the fugitive, who submitted only after leaping from the second floor window of the annex of Brown Bros. & Co. at No. 59 Wall Street.

But few details were made public concerning the prisoner or the reason for his arrest. It was known, however, that he appeared at Brown Bros. & Co.'s office last Thursday and cashed a French draft. It proved to be worthless.

Shortly after 1 o'clock this afternoon the man presented a second draft on a French bank for \$15,000, and while it was being scrutinized a signal was made to the Secret Service men, who were in waiting, and several of them closed in upon the suspect. He eluded them, however, dashed for the building and the chase followed.

Miss Dowd to Wed Army Officer. Announcement has been made of the engagement of Miss Katharine Veronica Dowd of No. 121 Prospect Park West to Lieut. Francis Paul Thomas of the Coast Artillery Corps. Lieut. Thomas is serving at Fort Wadsworth, New York.

## OFFICIALS ACCUSED OF DRAFT BRIBERY RELEASED ON BAIL

Grand Jury to Investigate Alleged Fraud in Other Exemption Districts.

Deputy Attorney General Conkling swore in at noon today in the public school at Rivington and Lewis Streets Max Steindler of No. 27 Stanton Street, Louis Birnbaum of No. 85 Cannon Street and Mr. L. Spanier of No. 108 Cannon Street as the new members of Local Board 99 to replace Louis I. Cherey, the Grand Street druggist, and Dr. S. J. Bernfeld, who are in jail, and Dr. Henry M. Groblich, former member of the board, dismissed by order of President Wilson last Friday night.

The new board began work at once. It will have to re-examine the 700 registrants who passed through the hands of the former board and as many more as are necessary to fill up the quota. It is expected that the re-examination will bring out a lot of information interesting to Assistant United States District Attorney Knox, who is preparing the case against Cherey and Bernfeld for the Grand Jury.

### BRIEBY INVESTIGATION TO EXTEND TO OTHER DISTRICTS.

Harsh fire action is expected in this case as well as in the case of Kaiman Gruber, who is alleged to have been the "go-between" in transactions between slackers and eligible members of the board. Mr. Knox and his aides worked until late last night preparing the case.

Cherey and Bernfeld were arraigned before United States Commissioner Hitchcock at noon and held in \$5,000 bail each. Gruber was held in \$2,500 bail. All three were released on bonds. It was announced that the Grand Jury would take up the matter immediately and that federal authorities would go to the limit of the law in delaying activities of the accused men in the way of seeking to obtain bail.

The Grand Jury investigation will extend beyond the limits of Board 99. Adj. Gen. Stotsky is in Washington today conferring with Provost Marshal General Crowder. He took to Washington documentary and other evidence relating to alleged frauds in other boards.

The records of Board 99 do not disclose any irregularities. They were well kept, and it appears that the board had quite a number of employees at \$2.50 a day. Only the re-examination of the men will show how far the irregularities, if there were any, extended.

District Attorney Swann has received more than twenty letters accusing exemption boards in various parts of town of fraudulent work. Many complaints came from one east side district. Five letters came from persons described by Mr. Swann as "respectable citizens" who offered to appear and repeat their statements under oath.

The District Attorney summoned to his office today three men who were found physically sound by Board 99 and then were exempted after "re-examination" which followed conversations between the drafted men and friends of members of the board.

These three are to be examined by

### GIRL WHOSE \$225,000 LOVE SUIT VERDICT IS RULED EXCESSIVE



Miss Honora May O'Brien...

## 5 AMERICANS LOST ON U. S. SHIP SUNK BY MINE; 19 DEAD

Missionaries From New York on the City of Athens, Destroyed Near Cape Town.

WASHINGTON, Aug. 13.—Five American passengers were lost when the American steamship City of Athens struck a mine and went down near Cape Town, South Africa, on Aug. 10, according to today's State Department dispatches. Ten other passengers and four of the crew were also lost, the dispatches say.

The vessel carried missionaries from Brooklyn and New York headquarters to Cape Town. Their destination was almost in sight when the vessel struck the mine.

The dead Americans are: Mr. Sumner and four missionaries—Mr. and Mrs. Nagard, Miss Robinson and Caroline Thompson.

The State Department announced today: "In addition to these a man named Duckworth, British, and his American wife and six children were lost. Mrs. Duckworth's father lives in Denver. His name is unknown."

The telegram shows that Miss Robinson belongs to the Methodist Board Mission at No. 150 Fifth Avenue, New York City. Mr. Pointer of that mission was saved.

"Nineteen missionaries belonging to a mission with headquarters at No. 356 Bridge Street, Brooklyn, were saved."

"Mr. Sommer and his wife were apparently from Meadows, Ill.; Mr. Ritchey of No. 1415 Evans Avenue, Chicago; Mr. Pritchett of No. 1425 Rockland Street, Philadelphia; David L. Astoria of South Dakota; K. F. Branton, Minneapolis, a Mr. Bennett an Australian with an American wife and two children and a Mr. Smith were among the others saved."

The only steamer City of Athens listed in Lloyd's Register is a British ship of 5,594 tons, owned by G. Smith & Sons and registered at Glasgow. Officers of the American Navigation Company in New York, first reported as owners of the destroyed steamer, said they owned no vessel of that name.

Miss Helen Robinson is the only one of the four missionaries lost on the City of Athens known to the

## \$125,000 FOR GIRL OR RETRIAL, RULING IN MANNING CASE

Verdict of \$225,000 for Miss O'Brien's Heart Is Declared Excessive.

Miss Honora May O'Brien, who recently won a bench of justice suit and a \$225,000 verdict against John H. Manning, multimillionaire petegogarian, now has just ten days in which to decide whether she will take \$125,000 in final settlement or try the case all over again.

This was decided today by Justice Cropsey in Brooklyn on a motion by Martin W. Littleton, counsel for Manning, to set aside the verdict as excessive.

In a long opinion written in support of the belief that the verdict was indeed excessive, Justice Cropsey called attention to the fact that Manning probably has but a few years to live, and expressed his belief that Miss O'Brien could not suffer \$225,000 worth of hurt short time by being deprived of the right to spend it with Manning.

Miss O'Brien's suit was for \$1,000,000—based on reports that Manning's fortune is between \$10,000,000 and \$20,000,000—and Justice Cropsey agreed that the fortune must be that size, since Manning was a witness at the trial and did not question the figures.

In spite of all that, however, the Justice holds that the jury charged too much and that the twelve men were probably influenced by a story about Manning's cruelty to a pet dog—whose sufferings were not Miss O'Brien's.

"The only question," said the Justice, "is as to whether this verdict is excessive. In general this is a matter for juries to decide. But there are facts which put this case in a class by itself. The defendant is very rich, but he is also very old."

"This case lacks the chief element of damage that one usually finds in such cases. The plaintiff does not love the defendant. She is twenty-nine years old and he is eighty-four and partly palsied."

"The plaintiff has not lost a chance of betterment through her inability to marry the defendant, nor has she lost her chance to marry some one else. These elements of damage are eliminated."

"The damage that she did suffer was mostly from wounded pride, mortification and the loss of benefits which she would have had if she had married the defendant."

"It is clear that the plaintiff, by her defendant's refusal to marry her, has not lost benefits in proportion to her wealth, for it must be remembered that her loss of a probable inheritance at the death of the plaintiff cannot be considered."

"Evidence was introduced that the defendant strangled his daughter's pet dog and that he had been expelled from the Stock Exchange and that he had been sued by his former wife for cruelty and non-support. These bits of evidence may have prejudiced the jury, but they should not have figured in estimating the damages."

Justice Cropsey said the charges made by Manning against Miss O'Brien were untrue and the jury had a right to consider that fact in awarding exemplary damages.

Double Portion of Food for the Newly Weds.

BERLIN, via London, Aug. 13.—The municipal food bureau of Birmingham announces that newly married couples will be entitled to draw double the amount of food indicated on their food cards. The privilege is accorded them for a period of six weeks.

## CONTROL BOARD WILL HANDLE THE 1917 WHEAT CROP

Garfield Heads Commission to Regulate Costs—Will Control Exports.

WASHINGTON, Aug. 13.—Creation of a Grain Control Board within the Food Administration to supervise distribution of wheat and manufacture and sale of flour will be announced within a few days. To the board will be delegated authority to carry out regulations governing wheat and flour announced last night by the Food Administration.

Hoover's war on high prices turned on public eating places today. His experts are compiling full details of America's eating habits from soup to nuts. He proposes soon to issue a new national food code designed to reduce both portions and prices from a third to a half in dining cars, restaurants and hotels.

Hoover's last effort along this line resulted in cutting portions, but prices for the most part held at the same level. Railroads have agreed to respond. The new menus will show the actual cost of each prepared dish so the customer may know he is not overcharged.

President Wilson will issue a series of executive orders giving the Food Administration powers conferred on the Executive under the Food Control Bill. The first will deal with wheat and flour and will direct the Food Administration to proceed Sept. 1, with the enforcement of the regulations announced last night.

Wheat and flour are taken up first. It was said today at the Food Administration, because the wheat crop is beginning to move, making it the most difficult problem to handle now.

The movement of most other foodstuffs is about the same month by month.

Preparation of a form of license under which grain elevators and flour mills will operate after Sept. 1 was begun today.

In announcing his plan to control wheat, flour and bread, Herbert C. Hoover asserts his readiness to buy the whole 1917 wheat harvest for the nation if necessary to conserve supply and reduce cost both at home and abroad.

It was believed in official circles today that Hoover's next move will be in the direction of canned goods.

A condemnation of the long official announcement of the Hoover programme is as follows:

Instead of American wheat moving to Europe largely in the fall, it must now, because of curtailed shipping facilities, be moved through the entire year, a condition which may cause a glut in the American warehouse system. There are also now large stocks of wheat unavailable to the Allies because of the war, and should these suddenly become available the demand for American wheat might be seriously demoralized.

The Administration has therefore determined, first, to eliminate speculation by requiring elevators and mills of over 100 barrels daily capacity to take out Government licenses providing for only reasonable warehouse service charges, that wheat be stored no longer than thirty days except by official sanction, and that certain information as to receipts and shipments be supplied regularly. Grain exchanges are asked to suspend all dealings and quotations in future wheat. The new regulations become effective Sept. 1, and the licenses are now being prepared. The announcement points out that while farmers' mutual co-operative elevators are expected by the Food Bill, stock com-

## 69TH FIRST GUARD REGIMENT TO GO TO FRONT IN FRANCE; BEGINS TRAINING AT ONCE

**Draft of 260 Men, Thirty From Each Company, on Other Units, Reveals Plan—Is Only One Selected From New York State.**

The Fighting Sixty-ninth of this city is to start for France and the firing line as soon as arrangements for transportation and preliminary training necessary to recruiting the regiment up to war strength as prescribed in the latest regulations are completed.

To fill the ranks of the Sixty-ninth to war strength drafts have been made on the other city regiments and 260 men—thirty from each company, including sergeants and corporals—were shifted this afternoon from the Seventh Regiment Armory to the Sixty-ninth Regiment Armory.

The men of the Sixty-ninth have known since yesterday that they had been given the honor of being designated as the first regiment from New York to join the expeditionary army now in France. They were told to keep quiet about it and they kept as quiet as they could.

WILL GO INTO CAMP NEAR NEW YORK AT ONCE.

It was not until the other regiments were lined up in their armories this afternoon and official orders were read detaching thirty men from each company to the Sixty-Ninth that the news became public property. In connection with the order it was stated that the Sixty-ninth is to go into camp somewhere near New York at once to be whipped into shape as an enlarged unit of the army.

While the Seventh, the Twelfth and the Seventy-first regiments had aspired to be the first to start ever since word went around a few days ago that a division was to be made for foreign service of regiments from the Eastern seaboard, there was no jealousy or chagrin apparent in the roof-raising blast of cheers that went up in the various armories when the announcement of the luck of the Sixty-ninth was made. There was no delay about the transfers. The men who had been picked to go to the Sixty-ninth were called from their places, their equipment was quickly mobilized and within an hour they were on their way to the armory at Twenty-ninth Street and Lexington Avenue, where the Sixty-ninth, despondent with joy, was tearing the atmosphere to tatters.

69TH ONLY REGIMENT SELECTED FROM THIS STATE.

The make-up of the new division has not been announced. The Sixty-ninth is the only regiment selected from this State, Massachusetts, the other New England States, New Jersey and Pennsylvania probably will supply units.

Under the French system adopted by the United States Army regiments are increased to 2,000 men each and six regiments constitute a division. Observers who have seen the various New York regiments on inspection in Central Park agree that the Sixty-ninth is the most soldierly and business-like looking body in the old National Guard of this city. The regiment is 90 per cent. Irish-American and in selecting men from the other regiments to join the Sixty-ninth Irish-Americans were given the preference, but care was taken to select the most efficient soldiers.

VILLA'S CHIEF OF STAFF, SALAZAR, IS KILLED

Home Guards Organized to Protect Casas Grandes District Shoot Him.

JUAREZ, Mexico, Aug. 13.—Jose Ynez Salazar, a revolutionary leader and former Chief of Staff to Francisco Villa, was shot at the Nogales Ranch, a short distance from Acapulco, Thursday.

Americans arriving here today from Casas Grandes said Salazar had been killed by a small band of home guards who were organized to protect the Casas Grandes-Acapulco district.

(For Racing Results See Page 2.)

(Continued on Second Page.)

(Continued on Second Page.)

(Continued on Second Page.)

(Continued on Sixth Page.)